

## **APPENDIX D**

### **MEDICAID PUBLICATIONS**



**If my home is exempt  
for eligibility,  
will it also be exempt  
from Estate Recovery?**



No, while your home may be exempt for purposes of determining Medicaid eligibility, it will not be exempt from Estate Recovery. However, recovery takes place only after the death of both the recipient and the recipient's spouse.



**What about burial costs and other claims  
against the estate?**

- Burial costs are paid first from the estate of the recipient.
- The state's claim for reimbursement has the same priority as reasonable and necessary medical expenses of the last illness under the Utah Uniform Probate Code.
- The state's claim is paid before other creditors and before the heirs.

**Can ORS waive  
Estate Recovery  
if it would cause  
undue hardship?**



- Recovery is deferred while there is a surviving spouse.
- If a child of the recipient is under 21, blind, or disabled, estate recovery is waived.
- ORS may waive recovery when the property is the sole income-producing asset and source of support for the survivors (such as a family farm or other family business, which produces a limited amount of income).
- ORS offers the opportunity to apply for an undue hardship waiver in every case.

**Whom can I call for information on Estate Recovery?**

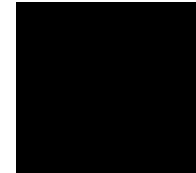
- ORS Medical Section  
536-8806
- Toll-Free Long Distance  
1-800-821-2237



We do not discriminate because of race, color, handicap, national origin, age, sex, political beliefs, or religion.

State of Utah

**Office of  
Recovery Services**



**Division of  
Health Care Financing**

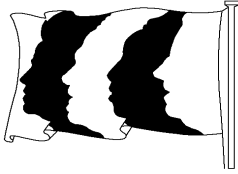
**Estate Recovery  
Information  
Bulletin**

BES PM 994  
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Department of Health  
Division of Health Care Financing

Salt Lake City, UT 84116

## What is Estate Recovery?



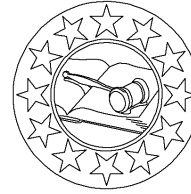
The state recovers funds from a recipient's estate for Medicaid expenses paid after age 55, provided that there is no child who is blind, or disabled, or under age 21. Recovery takes place **only after** the death of both the recipient **and** the surviving spouse.



## Why Estate Recovery?

- To comply with Federal law, which requires that states pursue Estate Recovery. Section 1917 of the Social Security Act makes estate recovery mandatory.
- To supplement funds available for medical assistance programs and limit the tax burden caused by rising medical costs. Funds recouped through Estate Recovery are returned to medical programs to help provide assistance to others in need.
- Utah state law provides for Estate Recovery in Section 26-19-13.

## How does ORS define “estate”?



“Estate” means, regarding a deceased recipient, all real and personal property or other assets included within a decedent's estate (as defined in Utah Code, Section 75-1-201); and a decedent's augmented estate (as defined in Section 75-2-202.)



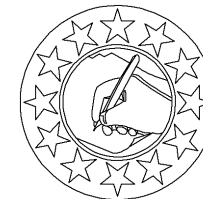
## What medical costs will ORS recover?

ORS recovers costs paid by Medicaid when the recipient was age 55 or older, such as:

- Pharmacy charges.
- Doctor and Hospital charges.
- Ambulance charges.
- Insurance premiums.
- Medical equipment.
- Long-term care costs (both in-home and nursing home).
- QMB expenses.
- All other costs paid under the State Plan.

## How does ORS proceed with Estate Recovery?

- ORS does not initiate **any** recovery until after the death of the recipient and the recipient's spouse.
- ORS contacts a representative of the heirs after the death of the recipient.
- ORS may record a lien against real property of a **deceased** recipient for purposes of Estate Recovery.
- ORS may file a claim with the probate court for the amount of the medical assistance provided.
- Utah Code states that “...medical assistance correctly paid...is recoverable from the estate of the deceased recipient.”

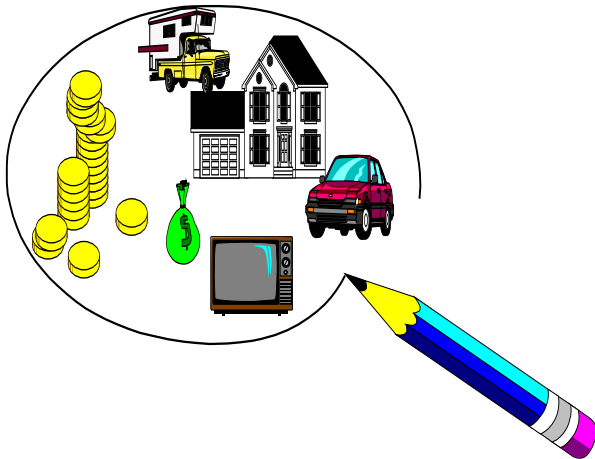


## Will I be required to sign a lien against my home?

You are not required to sign a lien when you apply for Medicaid. A lien is placed on real property only **after** the death of the recipient and the recipient's spouse.

# ASSESSMENT OF ASSETS

Important information for married people  
entering a medical institution  
or seeking medical services  
under a  
Waiver for Home & Community Based  
services  
after September 30, 1989.



*We do not discriminate because of  
race, color, handicap, national origin,  
age, sex, political beliefs, or religion.*

BES PM 992  
05/97  
24 30 335

## *WHAT is Assessment?*

Assessment of assets is an evaluation of the resources of a married couple. All the assets countable for Medicaid are listed. Then each spouse is told his or her “share”. The “share” of the spouse at home will NOT be counted to determine the Medicaid eligibility of the institutionalized spouse, or the spouse who needs waiver services. *The purpose is to preserve a portion of assets for the spouse at home.*

## *WHEN should this be done?*

Assessment should be done as soon as possible after entry into the institution, or upon application for home and community based waiver services. Assessment MUST be based on the assets held on the day of the entry, or application for waiver services. If you have a spouse in a nursing home, ask for an assessment NOW, even if you don’t need Medicaid yet.

## *WHY have an Assessment?*

There are three reasons why you need an assessment:

1. Assessment is the first step to getting Medicaid. If an assessment is not done in the month of entry into the nursing home, it may take longer to process your application for Medicaid later. This is because your worker will have to start by verifying the assets you had the month of entry. For waiver applicants, the assessment is done when you first apply for waiver Medicaid.

2. If you don’t have an assessment, you may improvish yourself. You may assume that you are not eligible for Medicaid because of assets when some of those assets would not be countable.
3. Some assets do not count in the assessment such as your home, household furnishings, one car, personal belongings, and some burial plans or life insurance. The assessment will tell you what assets do not count.

## *HOW do I get an Assessment?*

Here are four easy steps:

1. Go to your local Bureau of Eligibility Services Office or Dept. Of Workforce Services.
2. Ask for an assessment.
3. Complete the Form 61A or 61M, and 61S.
4. Give the Forms, and proof of your assets, to your eligibility worker.

*Always check with your eligibility worker  
before you transfer any assets.*

*A transfer of assets could cause you to be  
ineligible for Medicaid.*

*A list of Medicaid Eligibility offices is  
found on the back of this form.*

## *HOW MUCH does it cost?*

*The Assessment is **FREE!***

# CONTACT THE BUREAU OF ELIGIBILITY SERVICES IN YOUR AREA FOR MORE INFORMATION

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## **Northern Region**

### **Cache, Rich, Box Elder**

1050 South 500 West  
P.O. Box 1000  
Brigham City, Utah 84302  
734-4000

115 Golf Course Rd.  
Logan, Utah 84321  
787-3500

Nursing Home Applications  
1-800-270-1190 or 753-7852

### **Morgan, Weber**

2540 Washington Boulevard  
P.O. Box 349  
Ogden, Utah 84402  
626-3100

For Nursing Home Applications  
392-1776 or 786-1879  
or 825-3992

### **Davis**

1350 E. 1450 So.  
Clearfield, UT 84015  
776-7300

2465 N. Main  
Sunset, Utah 84015  
776-7600

For Nursing Home Applications  
1-800-662-9651: Ext. 543

## **Central Region**

### **Salt Lake**

1385 South State Street  
Salt Lake City, Utah 84115  
468-0000  
(Nursing Home)

7292 South State Street  
Midvale, Utah 84047  
567-3800

158 S. 200 W.  
Salt Lake City, UT 84145-0490  
524-9000

36 W. Fremont  
Salt Lake City, UT 84115  
236-6700

720 So. 200 E.  
Salt Lake City, UT 84145-0527  
536-7000

5735 S. Redwood Rd.  
Taylorsville, UT 84123-2046  
269-4700

### **Tooele**

305 N. Main Street  
Tooele, Utah 84074-1655  
882-5550

Nursing Home Applicants  
374-7823

## **Mountainlands Region**

### **Utah, Wasatch, Summit Summit**

1764 Prospector  
Park City, Utah 84068  
649-6018

150 East Center Street  
Provo, Utah 84606  
374-7800

188 North Main  
Heber City, Utah 84032  
654-1541

910 E. 100 N.  
Payson, UT 84651-1606  
465-5300

Nursing Home Applicants  
374-7823 or 374-7845  
or 374-7844 or 374-7831

### **Juab, Piute, Millard, Sanpete, Sevier, Wayne**

201 East 5th North  
P.O. Box 550  
Richfield, Utah 84701  
896-1200

50 North Main  
P.O. Box 112  
Nephi, Utah 84648  
623-1927

50 South Main, Suite 5  
Manti, Utah 84642  
835-0720

65 West Center Street (Rear)  
P.O. Box 589  
Fillmore, Utah 84631  
743-5304

44 South 350 East  
Delta, Utah 84624  
864-3860

### **Juab, Piute, Millard, Sanpete, Sevier, Wayne (continued)**

Piute County Courthouse  
Junction, Utah 84740  
577-2443  
(Thursday only 8-1)

All Nursing Home Applicants,  
Including Carbon, Garfield,  
Beaver, Iron, and Kane Counties  
1-800-867-2169

### **Beaver, Iron, Washington, Garfield, Kane**

168 North 100 East  
St. George, Utah 84770  
674-3800

(Nursing Home Applicants  
Washington County Only)

106 North 100 East  
Cedar City, Utah 84720  
865-5700

190 North 100 East  
P.O. Box 72  
Beaver, Utah 84713  
438-2443

310 South 100 East  
Kanab, Utah 84741  
644-5885

Wayne County Courthouse  
Loa, Utah 84747  
836-2406

665 North Main  
P.O. Box 63  
Panguitch, Utah 84759  
676-8866

Nursing Home Applicants for  
counties above except  
Washington county call Manti  
Office 1-800-867-2169

## **Region IV**

### **Duchesne, Daggett, Uintah**

1052 West Market Drive  
Vernal, Utah 84078  
781-4200

140 West 425 South  
(330-13)  
Roosevelt, Utah 84066  
Nursing Home Applicants call  
722-6500

### **Grand**

1165 South Highway 191  
Moab, Utah 84532  
259-3700

### **Carbon, Emery**

90 North 100 East  
Price, Utah 84501  
636-2300

45 East 100 South  
P.O. Box 697  
Castle Dale, Utah 84513  
381-2387

Nursing Home Applicants for  
Carbon County call Manti Office  
1-800-867-2169

### **San Juan**

522 North 100 East  
Blanding, Utah 84511  
678-1400

San Juan County Courthouse  
P.O. Box 6120  
Monticello, Utah 84535  
587-2016

Montezuma Creek Clinic  
Montezuma Creek, Utah 84534  
651-3294

Nursing Home Applicants for  
Emery, Grand, and San Juan  
counties: call Blanding 678-1416